HOUSE JOURNAL FIFTEENTH DAY

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MORNING SESSION

The House was called to order by Speaker Stephens at 9:30 a.m.

Roll call showed all members present except Representative Brad Winn, excused.

Prayer by Alexander Morrison. Pledge of Allegiance by Representative Beck.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 1, 2002

The Senate passed, as substituted, **2nd Sub. S.B. 48**, PUBLIC AGENCY INSURANCE MUTUAL AMENDMENTS, by Senator J. Hickman, and it is transmitted for consideration; and

The Senate passed **S.B. 59**, SALES AND USE TAX - TAXATION OF AMOUNTS PAID TO A TELEPHONE SERVICE PROVIDER OR TELEGRAPH CORPORATION, by Senator C. Bramble, and it is transmitted for consideration: and

The Senate passed **S.B. 76**, DOMESTIC VIOLENCE IN PRESENCE OF CHILD AMENDMENTS, by Senator D. Steele, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B.** 77, TASK FORCE ON INVOLUNTARY COMMITMENT OF THE MENTALLY ILL, by Senator L. Blackham, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 120**, MOTOR VEHICLE INSURANCE COVERAGE - ARBITRATION REQUIREMENTS, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 124**, TIMELY PAYMENTS OF INSURANCE CLAIMS, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed **S.B. 129**, PLANETARIUM BOARD OF DIRECTORS AMENDMENTS, by Senator G. Davis, and it is transmitted for consideration; and

The Senate passed **S.B. 135**, TOBACCO SETTLEMENT RESTRICTED ACCOUNT, by Senator D. Steele, and it is transmitted for consideration; and

The Senate passed **S.B. 142**, HIGHER EDUCATION BUDGET AUTHORITY, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore Secretary of the Senate

Communications filed. **2nd Sub. S.B. 48**, **S.B. 59**, **S.B. 76**, **S.B. 77**, **Sub. S.B. 120**, **S.B. 124**, **S.B. 129**, **S.B. 135**, and **S.B. 142**, read the first time by short title and referred to the Rules Committee.

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Mr. Speaker:

February 1, 2002

The Senate substituted and passed, **Senate 1st Sub. H.B. 11**, UTAH OCCUPATIONAL SAFETY AND HEALTH ADVISORY COUNCIL AMENDMENTS, by Representative D. Bush, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 107**, OBSCENITY AND PORNOGRAPHY COMPLAINTS OMBUDSMAN DUTIES, by Representative W. Harper, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 55**, UNDERAGE POSSESSION OF TOBACCO AMENDMENTS, by Representative C. Saunders, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 35**, EXPUNGEMENT OF JUVENILE RECORDS, by Representative S. Daniels, and it is transmitted for further consideration.

Annette B. Moore Secretary of the Senate

Communications filed. **Sub. H.B. 11, H.B. 107, H.B. 55**, and **H.B. 35**, placed on the calendar for concurrence.

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Mr. Speaker:

February 1, 2002

The Senate passed, **H.B. 10**, REPEAL OF INVESTMENT ADVISORY COMMITTEE, by Representative B. Winn, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 15**, REPEAL OF ENVIRONMENTAL QUALITY COORDINATING COMMITTEE, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 23**, MORTGAGE PRACTICES ACT REVISIONS, by Representative G. Adair, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 52**, HIGHER EDUCATION SAVINGS INCENTIVE PROGRAM AMENDMENTS, by Representative K. Bryson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 53**, TECHNICAL AMENDMENTS TO TOBACCO SETTLEMENT TRUST FUND, by Representative K. Morgan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 54**, TOBACCO AMENDMENTS, by Representative C. Saunders, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 56**, GENETIC PRIVACY AND DISCRIMINATION, by Representative P. Ray, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 214**, EXTENSION OF SUNSET ON TELEHEALTH COMMISSION, by Representative D. Hogue, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 221**, STATE BOARD OF EDUCATION RULES AND REPORTS, by Representative M. Dayton, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 4**, RESOLUTION RECOGNIZING CONTRIBUTIONS OF CONGRESSMAN JAMES V. HANSEN, by Representative M. Dillree, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore Secretary of the Senate

Communications filed. H.B. 10, H.B. 15, H.B. 23, H.B. 52, H.B. 53, H.B. 54, H.B. 56, H.B. 214, H.B. 221, and H.C.R. 4 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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Mr. Speaker:

February 1, 2002

Day 15

The Senate concurred in the House amendments and passed **S.B. 26**, SERIOUS YOUTH OFFENDER AMENDMENTS, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 105**, REPEAL OF EDUCATION MANDATES AND PROGRAMS, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker.

Annette B. Moore Secretary of the Senate

Communications filed. **S.B. 26** and **S.B. 105** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 1, 2002

The Quasi-Governmental Entities Committee reports a favorable recommendation on **H.B. 97**, RETIREMENT COST-OF-LIVING ADJUSTMENT FOR PUBLIC SAFETY, by Representative P. Ray; and

The Quasi-Governmental Entities Committee reports a favorable recommendation on **H.B. 186**, STATE RETIREMENT CONVERSION WINDOW, by Representative B. King; and

The Quasi-Governmental Entities Committee reports a favorable recommendation on **H.B. 230**, RETIREMENT OF PUBLIC SAFETY OFFICIALS, by Representative R. Bigelow.

Ron Bigelow, Chair

Reports filed. On motion of Representative Bigelow, the reports of the Quasi-Governmental Entities committee were adopted.

H.B. 97, H.B. 186, and **H.B. 230**, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

2002 GENERAL OBLIGATION BOND AND CAPITAL FACILITIES AUTHORIZATIONS

H.B. 2 Gerry A. Adair

SUPPLEMENTAL APPROPRIATIONS II

H.B. 3 Jeff Alexander

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

PUBLIC EDUCATION - ALTERNATIVE LANGUAGE PROGRAMS

H.B. 150 Duane E. Bourdeaux

THIS ACT MODIFIES PROVISIONS RELATED TO THE STATE SYSTEM OF PUBLIC EDUCATION BY REQUIRING THE STATE BOARD OF EDUCATION AND EACH SCHOOL DISTRICT TO CREATE AN ALTERNATIVE LANGUAGE SERVICES MASTER PLAN. THIS ACT REQUIRES SCHOOL DISTRICTS TO USE A PORTION OF STATE FUNDS APPROPRIATED FOR PROFESSIONAL DEVELOPMENT TO INCREASE EDUCATORS' PROFICIENCY IN DELIVERING ALTERNATIVE LANGUAGE SERVICES. THIS ACT REQUIRES THE STATE BOARD OF EDUCATION TO HIRE AN EXTERNAL EVALUATOR TO CONDUCT AN EVALUATION OF ALTERNATIVE LANGUAGE PROGRAMS, read the first time by short title and referred to the Rules Committee.

HATE CRIMES AMENDMENTS

H.B. 151 David Litvack

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

OIL AND GAS SEVERANCE TAX - BOARD, SPECIAL REVENUE FUND, AND USE OF REVENUES

H.B. 152 Jack A. Seitz

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

STANDARDS FOR ILLEGAL DRUG LAB DECONTAMINATION

H.B. 153 A. Lamont Tyler

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EXPANSION OF DNA DATABASE

H.B. 154 Glenn L. Way

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

PROPERTY TAXES - FARMLAND ASSESSMENT ACT

H.B. 155 Thomas V. Hatch

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

VEHICLE REGISTRATION RENEWAL

H.B. 156 *John E. Swallow*

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

REPEAL OF SALES AND USE TAX ON FOOD

H.B. 157 Jackie Biskupski

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

SAFE DRINKING WATER ACT AMENDMENTS

H.B. 158 Glenn A. Donnelson

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

PARENTAL CONSENT TO INTERVIEW A CHILD

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

UTAH TRANSPORTATION AMENDMENTS

H.B. 160 Chad E. Bennion

PROHIBITING GIFTS TO LEGISLATORS

H.B. 161

Kory M. Holdaway

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

USE OF BEAR RIVER BIRD REFUGE SETTLEMENT MONIES

H.B. 162

Ben C. Ferry

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

AGRICULTURE - FENCING FOR ANIMALS

H.B. 163

Stephen D. Clark

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

WILDLIFE REMEDIATION ON PRIVATE PROPERTY

H.B. 164

Michael R. Styler

THIS ACT MODIFIES THE WILDLIFE RESOURCES CODE TO AMEND PROVISIONS RELATING TO BIG GAME ANIMAL DAMAGE TO CULTIVATED CROPS, FORAGE, FENCES, OR IRRIGATION EQUIPMENT ON PRIVATE LAND. THIS ACT REQUIRES THE OWNER TO PROVIDE THE DIVISION OF WILDLIFE RESOURCES WITH REASONABLE ACCESS TO THE OWNER'S PROPERTY TO ALLEVIATE DEPREDATION, AND PROVIDES REMEDIAL ACTION CONSIDERATIONS FOR THE DIVISION OF WILDLIFE RESOURCES TO CONSIDER. THIS ACT PROVIDES A TIME LIMIT, AFTER NOTIFICATION OF THE DIVISION OF WILDLIFE RESOURCES, WITHIN WHICH THE OWNER MAY KILL BIG GAME ANIMALS. THIS ACT AMENDS COMPENSATION PROVISIONS FOR DAMAGE CAUSED BY BIG GAME ANIMALS, read the first time by short title and referred to the Rules Committee.

PUBLIC REVIEW OF MUNICIPAL APPROPRIATIONS AND RESOURCES

H.B. 166

Roger E. Barrus

THIS ACT MODIFIES THE UTAH MUNICIPAL CODE BY AMENDING PROVISIONS RELATING TO CITY APPROPRIATIONS. THE ACT LIMITS

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ASSISTANCE TO NONPROFIT ENTITIES. THE ACT SETS STANDARDS AND REQUIRES STUDIES AND HEARINGS FOR CERTAIN APPROPRIATIONS. THE ACT MAKES TECHNICAL CHANGES, read the first time by short title and referred to the Rules Committee.

SMOKE-FREE WORKPLACE LAW

H.B. 168 Scott Daniels

THIS ACT MODIFIES THE UTAH INDOOR CLEAN AIR ACT. THE ACT AMENDS THE EXCLUSIONS TO THE ACT. THE ACT REQUIRES TAVERNS AND PRIVATE CLUBS TO COMPLY WITH THE CLEAN AIR ACT, read the first time by short title and referred to the Rules Committee.

TAKING MINOR INTO PROTECTIVE CUSTODY WITHOUT WARRANT

H.B. 295 Thomas V. Hatch

THIS ACT AMENDS THE HUMAN SERVICES CODE AND THE JUDICIAL CODE. THE ACT PROVIDES THAT A STATE OFFICER. PEACE OFFICER, OR CHILD WELFARE WORKER MAY NOT REMOVE A MINOR FROM THE MINOR'S HOME OR SCHOOL OR TAKE THE MINOR INTO PROTECTIVE CUSTODY WITHOUT A WARRANT OR COURT ORDER UNLESS A PARENT OR GUARDIAN CONSENTS, OR THERE IS PROBABLE CAUSE TO BELIEVE THAT ANY ONE OR MORE OF ENUMERATED CIRCUMSTANCES EXIST AND THE CIRCUMSTANCES PRESENT A SUBSTANTIAL, IMMEDIATE THREAT TO THE HEALTH OR SAFETY OF THE MINOR. THE ACT ALLOWS A JUVENILE COURT JUDGE TO AUTHORIZE A CHILD PROTECTIVE SERVICES WORKER TO EXECUTE A WARRANT. THE ACT AMENDS AND CLARIFIES THE GROUNDS FOR A COURT ORDERING THAT A MINOR BE REMOVED FROM THE MINOR'S HOME OR OTHERWISE TAKEN INTO PROTECTIVE CUSTODY, AFTER THE FILING OF A PETITION ALLEGING ABUSE, NEGLECT, OR DEPENDENCY. THE ACT MAKES TECHNICAL CHANGES. THE ACT PROVIDES AN EFFECTIVE DATE, read the first time by short title and referred to the Rules Committee.

2002 SPECIAL HIGHWAY GENERAL OBLIGATION BONDS

H.B. 296 *Wayne A. Harper*

THIS ACT AUTHORIZES ISSUANCE OF UTAH GENERAL OBLIGATION BONDS AND BOND ANTICIPATION NOTES BY THE STATE

RETIREMENT OFFICE AMENDMENTS

H.B. 297 *Ron Bigelow*

THIS ACT MODIFIES THE UTAH STATE RETIREMENT ACT BY REQUIRING AN EMPLOYEE TO HAVE FIVE YEARS OF SERVICE CREDIT AND MEET FEDERAL ELIGIBILITY REQUIREMENTS TO BE ELIGIBLE TO PURCHASE RETIREMENT SERVICE CREDIT, read the first time by short title and referred to the Rules Committee.

CHILD WELFARE ENHANCED TRAINING

H.B. 298 David Litvack

THIS ACT MODIFIES THE UTAH HUMAN SERVICES CODE. THIS ACT CREATES A PILOT PROGRAM FOR ENHANCED TRAINING OF NEW EMPLOYEES OF THE DIVISION OF CHILD AND FAMILY SERVICES. THE ACT APPROPRIATES \$1.7 MILLION TO IMPLEMENT THE PROGRAM AND REQUIRES ANNUAL REPORTING TO THE LEGISLATURE, read the first time by short title and referred to the Rules Committee.

AGRICULTURAL SUSTAINABILITY TASK FORCE

H.B. 299

Craig W. Buttars

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

AMENDMENTS TO GUARDIAN AD LITEM STATUTES

H.B. 300

Matt Throckmorton

FARMLAND ASSESSMENT ACT - ROLLBACK TAXES

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

INDIVIDUAL INCOME TAX - TAX CREDIT FOR DONATED TEXTBOOKS

H.B. 302 Mike Thompson

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

EXPUNGEMENT OF DRIVING UNDER THE INFLUENCE CONVICTIONS

H.B. 303 A. Lamont Tyler

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

CHILD WELFARE PARENTAL DEFENSE ACT

H.B. 304 Matt Throckmorton

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

PROPERTY TAX AMENDMENTS

H.B. 305 *Wayne A. Harper*

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

ELECTION LAW REVISIONS

H.B. 306 Glenn A. Donnelson

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

TREATMENT OF DISHONORED CHECKS

H.B. 307 Chad E. Bennion

RENEWABLE ENERGY AMENDMENTS

H.B. 308

James R. Gowans

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

PUBLIC WATER SYSTEMS AMENDMENTS

H.B. 309

Roger E. Barrus

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

MOBILITY ASSISTANCE FUND

H.B. 310

Eric K. Hutchings

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

STATE CAPITOL PRESERVATION BOARD - CHAIR

H.B. 311

Gerry A. Adair

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

HIGHWAY AND FREEWAY UNDERPASSES FOR WILDLIFE

H.B. 312

Michael R. Styler

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

EMERGENCY SERVICES CALLER LOCATER

H.B. 313

Ty McCartney

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

COMBINING DIVISIONS OF SUBSTANCE ABUSE AND MENTAL HEALTH

H.B. 314

Jack A. Seitz

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UTAH FIRE PREVENTION AND SAFETY ACT AMENDMENTS

H.B. 315 Cindy Beshear

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

FIRE PREVENTION AND SAFETY REVISIONS

H.B. 316 Cindy Beshear

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

LEGISLATIVE TASK FORCE AMENDMENTS

H.B. 317 Craig W. Buttars

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

GOVERNMENTAL IMMUNITY - EXCEPTION FOR PERJURY

H.B. 318 Matt Throckmorton

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

JAIL REIMBURSEMENT AMENDMENTS

H.B. 319 *Greg J. Curtis*

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

ESSENTIAL HOSPITAL SERVICES

H.B. 320 Rebecca D. Lockhart

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

CAPITOL ARTS PLACEMENT COMMISSION AMENDMENTS

H.B. 321 Richard M. Siddoway

GOVERNMENT OPERATIONS

H.B. 322

Chad E. Bennion

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

STATE FLEET OPERATIONS AMENDMENTS

H.B. 323

Gerry A. Adair

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

PROTECTION OF UNINCORPORATED AREAS IN COUNTIES OF THE FIRST CLASS

H.B. 324

A. Lamont Tyler

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

COUNTY CLERK RESPONSIBILITIES -BUILDING LOT OF RECORD

H.B. 325

David Ure

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

SPECIAL LICENSE PLATE

H.B. 326

DeMar Bud Bowman

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

INFORMATION REQUIRED TO THE DIVISION OF PUBLIC UTILITIES

H.B. 327

Ty McCartney

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APPROPRIATION FOR TEACHER MENTORING PROGRAMS

H.B. 328

Carol Spackman Moss

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

STATE AND EDUCATION VOLUNTARY CONTRIBUTION FUND

H.B. 329

J. Morgan Philpot

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

USE OF COUNTY GENERAL FUND EXPENSES

H.B. 330

Eric K. Hutchings

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

NONRESIDENT TUITION FOR HIGHER EDUCATION

H.B. 331

Jeff Alexander

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

CHILD SUPPORT MODIFICATIONS

H.B. 332

Eric K. Hutchings

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

VETERANS - PARKS AND RECREATION BENEFIT

H.B. 333

Gerry A. Adair

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

COUNTY AND MUNICIPAL CAMPAIGN FINANCE AMENDMENTS

H.B. 334

Trisha S. Beck

LOBBYIST AND PUBLIC OFFICIALS ETHICS AMENDMENTS

H.B. 335

Ralph Becker

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

USE OF FORCE, INCLUDING DEADLY FORCE, IN DEFENSE OF PROPERTY

H.B. 336

Mike Thompson

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

VETERANS SERVICE ORGANIZATION SPECIAL LICENSE PLATES

H.B. 337

Steven R. Mascaro

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

AUTHORITY OF THE STATE BOARD OF EDUCATION

H.B. 338

David N. Cox

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES

H.B. 339

Rebecca D. Lockhart

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

DIVISION OF WATER RIGHTS FUNDING AND NOTIFICATION AMENDMENTS

H.B. 340

Michael R. Styler

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

GOVERNMENT LAW REVISIONS

H.B. 341

Brad King

RECOVERY OF DAMAGES FOR LOSS OF USE OF A MOTOR VEHICLE

H.B. 342 *Greg J. Curtis*

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

ADMISSION POLICIES FOR HIGHER EDUCATION

H.B. 343 Margaret Dayton

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

GOVERNMENTAL FUNCTIONS - AMENDMENTS

H.B. 344 Patrice M. Arent

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

STATE FAIR PARK AMENDMENTS

H.B. 345 Duane E. Bourdeaux

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

EDUCATION LAW AMENDMENTS

H.B. 346 Duane E. Bourdeaux

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

GOVERNMENT LAW CHANGES

H.B. 347 Jackie Biskupski

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

SUPPLEMENTAL ADULT TEACHER

H.B. 348 Jackie Biskupski

FINANCIAL INSTITUTION AMENDMENTS

H.B. 349

James R. Gowans

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

DRIVER LICENSE RESTRICTIONS

H.B. 350

Matt Throckmorton

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

ELECTION PROCESS AMENDMENTS

H.B. 351

Greg J. Curtis

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

REVISIONS TO GENERAL GOVERNMENT

H.B. 352

David L. Hogue

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

APPROPRIATION TO DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

H.B. 353

Kory M. Holdaway

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

CHILDRENS HEALTH INSURANCE PROGRAM AND TOBACCO FUND AMENDMENTS

H.B. 354

David L. Hogue

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

CHILD SUPPORT GUIDELINES

H.B. 355

Fred J. Fife

PROHIBITION OF REBIRTHING THERAPY

H.B. 356 Mike Thompson

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

RESOLUTION WELCOMING THE WORLD TO UTAH - 2002 OLYMPIC WINTER GAMES

H.C.R. 6 *Ben C. Ferry*

THIS CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR WELCOMES THE WORLD TO UTAH AND TO THE 2002 OLYMPIC WINTER GAMES AND EXTENDS BEST WISHES TO ALL WHO COME TO PARTICIPATE IN, TO ATTEND, TO ASSIST IN THE PRESENTATION AND ADMINISTRATION OF THE GAMES, AND TO ENJOY WORLD CLASS ATHLETIC COMPETITION, read the first time by short title and referred to the Rules Committee.

RESOLUTION APPROVING LANDFILL FOR CONSTRUCTION AND DEMOLITION DEBRIS

H.C.R. 7 Thomas V. Hatch

THIS CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR GIVES APPROVAL FOR THE OPERATION OF A CLASS V LANDFILL TO RECEIVE ONLY CONSTRUCTION AND DEMOLITION WASTE. THE LANDFILL IS KNOWN AS THE LOST CREEK LANDFILL AND IT WILL BE LOCATED IN CIRCLEVILLE IN GARFIELD COUNTY. THIS RESOLUTION FOLLOWS APPROVAL TO OPERATE THE LANDFILL GRANTED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY, read the first time by short title and referred to the Rules Committee.

RESOLUTION HONORING GOLD AND BLUE STAR MOTHERS

H.C.R. 8 J. Morgan Philpot

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

RESOLUTION SUPPORTING DESIGNATION OF SAN RAFAEL SWELL AS NATIONAL MONUMENT

H.C.R. 9 Bradley T. Johnson

RESOLUTION HONORING PRINCESS AISHA BINT AL HUSSEIN

H.J.R. 24

Sheryl L. Allen

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

RESOLUTION ON UTAH ATHLETIC FOUNDATION

H.J.R. 25

David Ure

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

RESOLUTION PROMOTING COOPERATIVE REGULATORY ENVIRONMENT AND ECONOMIC DEVELOPMENT IN UTAH

H.J.R. 26

Chad E. Bennion

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

RESOLUTION AUTHORIZING BEAR RIVER MIGRATORY BIRD REFUGE SETTLEMENT

H.J.R. 27

Ben C. Ferry

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

RESOLUTION RECOMMENDING CHANGES TO STATE GOVERNMENT

H.J.R. 28

Brad King

Introduced by Short Title, read the first time by short title and referred to the Rules Committee.

RESOLUTION ASSERTING WATER RIGHTS ISSUED UNDER THE AUTHORITY OF THE STATE ARE SUBJECT TO STATE LAW

H.J.R. 29

Max W. Young

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On motion of Representative Fife, under suspension of the rules, lift **H.J.R. 20** from the Rules Committee, consider it read the second time by short title and place it at the top of the calendar for third reading.

CONSENT CALENDAR

- **H.B. 182**, TAX REVIEW COMMISSION AMENDMENTS, read the third time by short title and placed on its final passage.
 - H.B. 182 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Beck
Becker	Bennion	Beshear	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Bryson	Buffmire	Bush	Buttars
D. Clark	D. Cox	Curtis	Daniels
Dayton	Dillree	Donnelson	Duckworth
Ferrin	Ferry	Fife	Garn
Goodfellow	Gowans	Hansen	Harper
Hatch	Hendrickson	Hogue	E. Hutchings
B. Johnson	Jones	King	Litvack
Lockhart	Mascaro	McCartney	Morgan
Moss	Murray	Newbold	Pace
Parker	Peterson	Philpot	Ray
Saunders	Siddoway	G. Snow	Styler
Swallow	Thompson	Throckmorton	Tyler
Ure	Urquhart	Wallace	Way
Young	-		-

Absent or not voting were: Representatives

S. Clark Holdaway Seitz Shurtliff Winn M. Stephens

H.B. 182 transmitted to the Senate for its consideration.

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S.B. 109, LICENSING OF GENETIC COUNSELORS TECHNICAL AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 109 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Beck
Becker	Beshear	Bigelow	Biskupski
Bourdeaux	Bowman	Bradshaw	Bryson
Buffmire	Bush	Buttars	D. Clark
D. Cox	Curtis	Daniels	Dayton
Dillree	Donnelson	Duckworth	Ferrin
Ferry	Fife	Garn	Goodfellow
Gowans	Hansen	Harper	Hatch
Hendrickson	Hogue	E. Hutchings	B. Johnson
Jones	King	Litvack	Lockhart
Mascaro	McCartney	Morgan	Moss
Murray	Newbold	Pace	Parker
Peterson	Philpot	Ray	Saunders
Shurtliff	Siddoway	G. Snow	Styler
Swallow	Thompson	Throckmorton	Tyler
Ure	Urquhart	Wallace	Way
Young	-		•

Absent or not voting were: Representatives

Bennion S. Clark Holdaway Seitz

Winn M. Stephens

S.B. 109 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

- **S.B. 107**, UTAH LABOR COMMISSION AMENDMENTS, read the third time by short title and placed on its final passage.
 - **S.B. 107** then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

AagardAdairAlexanderS. AllenAndersonArentBarrusBeck

Becker	Bennion	Beshear	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Bryson	Buffmire	Bush	Buttars
D. Clark	D. Cox	Curtis	Daniels
Dayton	Dillree	Donnelson	Duckworth
Ferrin	Ferry	Fife	Garn
Goodfellow	Gowans	Hansen	Harper
Hendrickson	Hogue	E. Hutchings	B. Johnson
Jones	King	Litvack	Lockhart
Mascaro	McCartney	Morgan	Moss
Murray	Newbold	Pace	Parker
Peterson	Philpot	Ray	Saunders
Shurtliff	Siddoway	G. Snow	Styler
Swallow	Thompson	Throckmorton	Tyler
Ure	Urquhart	Wallace	Way

Absent or not voting were: Representatives

S. Clark Hatch Holdaway Seitz Winn Young M. Stephens

S.B. 107 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

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- **H.B. 266**, HEARING INSTRUMENT SPECIALIST AMENDMENTS, read the third time by short title and placed on its final passage.
 - **H.B. 266** then passed on the following roll call:

Yeas, 64; Nays, 4; Absent or not voting, 7.

Voting in the affirmative were: Representatives

•		•	
Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Beck
Becker	Bennion	Beshear	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Bryson	Bush	Buttars	D. Clark
D. Cox	Daniels	Dayton	Dillree
Donnelson	Duckworth	Ferrin	Ferry
Fife	Garn	Goodfellow	Gowans
Hansen	Harper	Hatch	Hendrickson

B. Johnson Hogue E. Hutchings **Jones** King Litvack Lockhart Mascaro **McCartney** Morgan Murray Moss Newbold **Pace Parker** Ray Siddoway G. Snow **Saunders** Shurtliff Styler **Swallow** Thompson Throckmorton Tyler Ure Urquhart Wallace

Voting in the negative were: Representatives

Curtis Peterson Philpot Way

Absent or not voting were: Representatives

Buffmire S. Clark Holdaway Seitz Winn Young M. Stephens

H.B. 266 transmitted to the Senate for its consideration.

* * *

H.B. 259, USE OF STATE ARMORIES, read the third time by short title and placed on its final passage.

H.B. 259 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Beck
Becker	Bennion	Beshear	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Bryson	Buffmire	Bush	Buttars
D. Clark	D. Cox	Curtis	Daniels
Dayton	Dillree	Donnelson	Duckworth
Ferrin	Ferry	Fife	Garn
Goodfellow	Gowans	Hansen	Harper
Hatch	Hendrickson	Hogue	E. Hutchings
B. Johnson	Jones	King	Litvack
Lockhart	Mascaro	McCartney	Morgan
Moss	Murray	Newbold	Pace
Parker	Peterson	Philpot	Ray
Saunders	Shurtliff	Siddoway	Styler
Swallow	Thompson	Throckmorton	Tyler
Ure	Urquhart	Wallace	Way

Absent or not voting were: Representatives

S. Clark Holdaway Seitz G. Snow

Winn Young M. Stephens

H.B. 259 transmitted to the Senate for its consideration.

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H.B. 269, WATER COMMISSIONER ASSESSMENT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 269 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Beck
Becker	Bennion	Beshear	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Bryson	Buffmire	Bush	Buttars
D. Clark	D. Cox	Curtis	Daniels
Dayton	Donnelson	Duckworth	Ferrin
Ferry	Fife	Garn	Goodfellow
Gowans	Hansen	Harper	Hatch
Hendrickson	Hogue	E. Hutchings	B. Johnson
Jones	King	Litvack	Lockhart
Mascaro	McCartney	Morgan	Moss
Murray	Newbold	Pace	Parker
Peterson	Philpot	Ray	Saunders
Shurtliff	Siddoway	Styler	Swallow
Thompson	Throckmorton	Tyler	Ure
Urquhart	Wallace	Way	

Absent or not voting were: Representatives

S. Clark	Dillree	Holdaway	Seitz
G. Snow	Winn	Young	M. Stephens

H.B. 269 transmitted to the Senate for its consideration.

* * *

S.J.R. 1, RESOLUTION ENCOURAGING RESEARCH AND DEVELOPMENT GRANTS FOR CLEAN COAL ALTERNATIVES, read the third time by short title and placed on its final passage.

S.J.R. 1 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Beck
Becker	Bennion	Beshear	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Bryson	Buffmire	Bush	Buttars
D. Clark	D. Cox	Curtis	Daniels
Dayton	Dillree	Donnelson	Duckworth
Ferrin	Ferry	Fife	Garn
Goodfellow	Gowans	Hansen	Harper
Hatch	Hendrickson	Hogue	B. Johnson
Jones	King	Litvack	Lockhart
Mascaro	McCartney	Morgan	Moss
Murray	Newbold	Pace	Parker
Peterson	Philpot	Ray	Saunders
Seitz	Shurtliff	Siddoway	G. Snow
Styler	Swallow	Thompson	Throckmorton
Tyler	Ure	Urquhart	Wallace
Way			

Absent or not voting were: Representatives

S. Clark Holdaway E. Hutchings Winn Young M. Stephens

S.J.R. 1 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

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- **H.B. 131**, REPORTING OF DATA TO THE AUTOMATED GEOGRAPHIC REFERENCE CENTER, read the third time by short title and placed on its final passage.
 - **H.B. 131** then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

AagardAdairS. AllenAndersonArentBarrusBeckBecker

Bennion	Beshear	Bigelow	Biskupski
Bourdeaux	Bowman	Bradshaw	Bryson
Buffmire	Bush	Buttars	D. Clark
D. Cox	Curtis	Daniels	Dillree
Donnelson	Duckworth	Ferrin	Ferry
Fife	Garn	Goodfellow	Hansen
Harper	Hatch	Hendrickson	Hogue
Jones	King	Litvack	Lockhart
Mascaro	McCartney	Morgan	Moss
Murray	Newbold	Pace	Parker
Peterson	Philpot	Ray	Saunders
Seitz	Shurtliff	Siddoway	G. Snow
Styler	Swallow	Thompson	Throckmorton
Tyler	Ure	Urquhart	Wallace
Way		-	

Absent or not voting were: Representatives

Alexander S. Clark Dayton Gowans Holdaway E. Hutchings B. Johnson Winn

Young M. Stephens

H.B. 131 transmitted to the Senate for its consideration.

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H.B. 127, COUNTY BALLOT QUESTIONS, read the third time by short title and placed on its final passage.

H.B. 127 then passed on the following roll call:

Yeas, 61; Nays, 5; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Beck	Becker
Bennion	Beshear	Bigelow	Biskupski
Bourdeaux	Bowman	Bradshaw	Buffmire
Bush	Buttars	D. Clark	D. Cox
Daniels	Dayton	Dillree	Donnelson
Duckworth	Ferrin	Ferry	Fife
Garn	Goodfellow	Gowans	Hansen
Harper	Hatch	Hendrickson	Hogue
Jones	King	Litvack	Lockhart

Mascaro **McCartney** Moss Morgan Murray **Pace** Parker Peterson **Saunders** Shurtliff Ray Seitz Siddoway G. Snow **Swallow** Thompson Throckmorton Urquhart Wallace **Tyler** Way

Voting in the negative were: Representatives

Curtis Newbold Philpot Styler

Ure

Day 15

Absent or not voting were: Representatives

Alexander Bryson S. Clark Holdaway E. Hutchings B. Johnson Winn Young M. Stephens

H.B. 127 transmitted to the Senate for its consideration.

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- **S.B. 41**, ADVISORY COUNCIL ON INTERGOVERNMENTAL RELATIONS AMENDMENTS, read the third time by short title and placed on its final passage.
 - **S.B. 41** then passed on the following roll call:

Yeas, 61; Nays, 0; Absent or not voting, 14.

Voting in the affirmative were: Representatives

Adair	S. Allen	Anderson
Barrus	Beck	Becker
Beshear	Bigelow	Biskupski
Bradshaw	Bryson	Buffmire
D. Clark	D. Cox	Curtis
Donnelson	Duckworth	Ferrin
Fife	Garn	Goodfellow
Hansen	Harper	Hatch
Hogue	Jones	King
Mascaro	McCartney	Morgan
Murray	Newbold	Pace
Peterson	Philpot	Ray
Seitz	Shurtliff	Siddoway
Swallow	Thompson	Throckmorton
Ure	Urquhart	Wallace
	-	
	Barrus Beshear Bradshaw D. Clark Donnelson Fife Hansen Hogue Mascaro Murray Peterson Seitz Swallow	Barrus Beck Beshear Bigelow Bradshaw Bryson D. Clark D. Cox Donnelson Duckworth Fife Garn Hansen Harper Hogue Jones Mascaro McCartney Murray Newbold Peterson Philpot Seitz Shurtliff Swallow Thompson

Absent or not voting were: Representatives

Alexander Bourdeaux Buttars S. Clark
Daniels Dillree Holdaway E. Hutchings
B. Johnson Lockhart G. Snow Winn

Young M. Stephens

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S.B. 41 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

COMMITTEE OF THE WHOLE

On motion of Representative Curtis, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Congressman Jim Matheson.

On motion of Representative Ure, the Committee of the Whole was dissolved.

MISCELLANEOUS BUSINESS

On motion of Representative Hansen, the House voted to print the remarks of Congressman Jim Matheson upon the pages of the House Journal.

REMARKS OF CONGRESSMAN JIM MATHESON

I would like to thank all members of the Utah House for this opportunity. It really is an honor to address you this morning. I certainly appreciate the offer extended to me by Speaker Stephens. It's wonderful to be here in our capital city on the eve of the 2002 Winter Olympics. The excitement of this once-in-a-lifetime event is indeed invigorating. When I flew in from Washington, D.C., last week, it was great to see so many Utahns wearing their colorful Olympic jackets and hats, standing by to help the athletes and visitors, and ready to make this the most successful Winter Olympic games ever. And I want to congratulate all of you for all the work you've done over the past several years to prepare for this event. Putting on the Olympic events is a team sport; before the athletes could come and dazzle us with their passion and their skill, each of you had to do some real heavy lifting to prepare the venues, and you certainly deserve our thanks.

Last year when I addressed this body, I pledged to work with you on behalf of the people of Utah that we represent, and this year I look forward to an expanded partnership with even more members of the Utah Legislature, from all corners of the state. The expansion, of course, may be driven a little bit by actions of this

Legislature in terms of redistricting, and I want to share with you insight in a particular town in a new part of the state where I may be running. Some of you may have heard about this recently. There's a town in southern Utah, and I bet you guys can guess which one it is, where every year, when they'd have an election, the result would come back, and there would be 621 votes for the Republican and one for the Democrat. Year after year it would be those same totals, and everyone was trying to guess who this was. It's a secret ballot, so you don't get to see how people vote, but they had their suspicions about who this was. One year, this guy died, and there was an election a few weeks later and the results came in and it was 621 for the Republican and one for the Democrat. So the newspaper came out the next week and the headline said, "We buried the wrong man."

Last week I joined my colleagues in the house chamber to hear President Bush report on the state of the union. I was certainly inspired by his stirring words, and particularly his call to action. His mandate was, and I quote, "We must act, first and foremost, not as Republicans, not as Democrats, but as Americans." The president's words called to mind a letter that I recently received in my congressional office from a Utah Boy Scout. His letter said, "I have felt that we as a nation have come together since the past tragedies. I am proud to live in the United States and enjoy the freedoms that we have. I am currently working on my Citizenship in the Nation merit badge. What is something I can do, as an 11-year-old boy, to help the nation? I try to help people whenever I can, I work hard in school and try to make right choices." Isn't that what it is all about as we search for meaning in the aftermath of such a terrible tragedy as the attack on America? Our country is fighting a war, our economy is in a recession, and yet the American spirit continues to light the way.

As President Bush said, it was as if our entire country looked into a mirror and saw our better selves. We were reminded that we are citizens, with obligations to each other, to our country, and to history. That resolve helped us stand in lines to donate blood; it steeled our urban search and rescue teams during 12-hour shifts at ground zero. It was personified in each act of compassion toward the victims, their families, our police and firefighters, and our men and women in uniform. It will steady us now as we work together on the most important issues facing our families, our communities, and our country.

As the economy has slowed, I've shared President Bush's concerns for helping those who have lost their jobs. I believe we can stimulate the economy in the short term in a way that doesn't actually threaten a healthy, long-term economy. We can work across party lines to improve access to health care for the unemployed and help them quickly find jobs in a recovering economy. Good jobs begin with good schools. In this body, you have taken the lead to maintain excellence in Utah's public education system. I was proud to work with members

of both parties to support the president's leading initiative, which was education reform. I look forward this year to working with him on a key piece of legislation—The Individuals with Disabilities Education Act. Together we can keep the federal government's promises to improve flexibility for local schools, provide quality instruction for special–needs students, send more resources to the local level, and cut the red tape for our quiet classroom heroes, the dedicated teachers who fight for every child.

Utahns know that economic security can dissolve instantly in the face of injury or illness. I agree with the President that we need to take action to modernize Medicare so that seniors have access to prescription drugs. I want to be your advocate for funding reforms to give Utah the support and flexibility it needs in order to provide these vital programs.

Utah's extraordinary landscape is once again in the spotlight with the news that President Bush has been asked to declare the San Rafael Swell a national monument. I commend the Emery County Commissioners and Governor Leavitt for proposing an open and public process leading up to such a designation. This may be an important opportunity for all stakeholders to be at the table and to participate in the process to get last protection to one of the scenic and geologic wonders of the world.

Whether it involves improving security at airports or stockpiling vaccines to protect our citizens against biological attacks, I will continue to make homeland defense one of my top priorities. But even as we study ways to secure our food and water supplies, our electric transmission lines and gas pipelines, we know it will take all of us, pulling together, to provide for our common defense. Public employees on the front lines in Utah's cities and counties need the funding, the training, and the equipment to undertake what will be a massive effort, and I want your ideas on the best way to make that happen.

One of the most important lessons I've learned on this job is the value of listening to people. Whether I'm in Utah or in Washington, the fun part of the job is meeting with people, hearing their ideas, and finding a way to put good ideas to use. Hearing from Utahns has made me a better member of Congress. I'm very committed to continuing this practice in the next year.

Preparing for the Olympics here at home, and our national response to the tragedy of September 11, has renewed our focus on the importance of volunteering. Utahns know how to lend a hand, put a shoulder to the wheel, roll up their sleeves, and give something back. The value we place on helping others will now go global with the President's USA Freedom Corps. I'm pleased to have co-sponsored legislation that expands our national service program. I'm very

excited to push this initiative to keep the spirit of volunteerism and investment in community alive after the 2002 Winter Games and beyond the war in Afghanistan.

No one could have predicted how drastically our world would change in one year's time, and life may never be the same. But life goes on, and our challenge as legislators is to listen, have an open door, and to work together, not as Republicans and Democrats, but as Americans. I know that as Utahns we're certainly up to that challenge.

I want to thank you for your time, and I'm certainly happy to answer any questions you may have.

Speaker Pro Tem Garn: Thank you, Congressman Matheson, we appreciate very much your being here today and appreciate your representation. Representative Arent, for questions.

Representative Arent: Thank you, Mr. Speaker Pro Tem and Congressman Matheson. Welcome to our body. Nice to have you here. I'm probably the person in the body that's known Jim the longest, having grown up across the street. You spoke this morning about education and your work last year, and I'm wondering what you think is the future in terms of the federal role in education.

Congressman Matheson: I personally believe the federal role out to be very limited. I think that what happened with the education reform that was passed last year was, it tried to consolidate programs and give more flexibility to the local level, which I think is a good idea. You all know the federal government represents about seven percent of education spending in our state, and that's the national average as well. But I do think it's important, as we look forward this next year, I mentioned we're going to be reauthorizing the IDEA, Individual Disability Education Act. I've met with every school superintendent in my congressional district, I've met with a lot of principals, I've met with a lot of teachers, and we have a problem when it comes to special education. There are two problems, really. One is the federal government has never lived up to its mandate where it said it would pay for 40 percent of the cost. We're up to around 15 percent right now. So number one, we ought to fund what we say we're going to fund. But that's only half the problem. The other problem is, and while it's a cliche to complain about red tape in government, this situation is a real problem. This program is fraught with bureaucracy in a way that we are driving people away from this profession. These are teachers that take on a tough task every day; we shouldn't be driving them away. So from a federal perspective on what we can do to affect education in states like Utah, that is the issue that is going to be taken on in Congress this year. I think it's very important. Number one, we ought to reform it so that it works better and is more streamlined in terms of how we implement it and, number two, we come up with the federal dollars that we said we would. It's going to allow for Utah, which is having to make up the difference right now, to use those dollars in other forms of education assistance.

Speaker Pro Tem Garn: Further questions for Congressman Matheson? Representative Daniels?

Representative Daniels: Thank you, Mr. Speaker Pro Tem. Congressman, as you know, we're in the midst of a serious budgetary problem here. Our revenues show that we have a tremendous shortfall and at the same time the federal government came back with some of the Medicaid reimbursements, things like that, that further affect our budgets. I'm wondering if you can tell us, from your perspective, what we can do at this level, what you can do at the federal level, or just ordinary Utahns can do to get us through this crisis that we have.

Congressman Matheson: There's no question that our economy has been in a recession. According to the economists it started last March. The average length of a recession in this country since World War II has been about ten months; that's about where we are right now. I think there are signs that the economy is starting to recover. I think that the tax cut that Congress passed last May, of which I was a supporter, is going to have a stimulant effect over the long run. I do think, from a federal perspective though, we ought to take a look at some type of short-term stimulus for our economy. I'm a little disappointed that, in Congress, members of both parties are just parading out their tired old agendas, now in the name of short-term economic stimulus. If we need short-term stimulus, let's do something that's quick, immediate, temporary, that stimulates the economy. I'll give you an idea that I think is a good idea: suspend paying payroll taxes for a month. That's going to help employees, that's going to help employers, puts money back in the economy. I think that's a good idea. But that's something that meets those criteria, something that's immediate, puts money in the economy right away, and it's short term to stimulate. So I think, from a federal level, that's what we ought to be looking at doing - things like that. But let's be confident that the business cycle is a reality and, while we can't predict exactly how the business cycle moves, I'm confident that this economy is going to be turning around, and I hope that that's going to be better in terms of the state revenues, which I understand the problems with the shortfalls here. We've got a problem at the federal level, too. I'm on the Budget Committee. A year ago we had a \$5.6 trillion surplus projected over ten years; now we're down to \$1.6 trillion over ten years. So we had \$4 trillion go away in one year. That's a lot of money, but I think we have to recognize that we have to have confidence that this economy is going to turn around. I think there are signs it's doing it already.

Representative Ure: Thank you, welcome back home. The question I have, Congressman, is a philosophical question, and if we could step outside the bounds that we have the Olympics here, say we go a year from now. Where, in your own mind, do you draw the line between national security and personal rights of what Congress is doing right now? In my opinion we're going much, much further back than we were in the Cold War, and I'd just like to have you elaborate on it, as to where you think that line might be in your own personal opinion, Congressman.

Congressman Matheson: I appreciate that question. It's a relevant question that we need to continue to ask as we move into this new world, where we face new threats, both in terms of global terrorism and in terms of homeland security, but if we give up on all the basic freedoms that we believe in here, the terrorists win anyway. So that's a concern that I share with you. You know, Congress passed some legislation which allowed greater authority for the Department of Justice and we put in sort of this stop gap, if you will, where everything expires in five years. That may not be a perfect solution to this, but it's one way to address concerns of if we went too far in expanding the abilities of the Justice Department. Because after five years, we would have to affirmatively vote to continue that or we're going to go back to where we were before September 11. That wasn't a perfect bill; I'm not going to tell you it was. In fact, I think the bill that the House Judiciary Committee passed, which was approved, by the way, unanimously, every Democrat and Republican voted for it, I wish that was the bill that actually became law in terms of what it did for expanding powers for our Justice Department. Instead, the administration wanted a more aggressive set of abilities and there was a compromise that occurred; but it does have that five-year sunset on it. So if this is something that we need to be looking at over the next five years to determine if it did go too far because, as I said at the outset, I share your concerns about maintaining our personal freedoms.

Speaker Pro Tem Garn: Congressman Matheson, thank you so much for being here today. We appreciate it.

MISCELLANEOUS BUSINESS

On motion of Representative Ferry, under suspension of the rules, the House voted to lift **H.C.R. 6** from the Rules Committee, consider it read the second time by short title and placed on the Time Certain Calendar for February 7, 2002 at 10:00 a.m.

UNFINISHED BUSINESS

On motion of Representative Siddoway, the House voted to uncircle **Sub. H.B. 36**.

Sub. H.B. 36, CHILD CARE AMENDMENTS, was before the House on its final passage.

On motion of Representative Ure, the House voted to circle Sub. H.B. 36.

THIRD READING CALENDAR

- **H.J.R. 20**, RESOLUTION URGING HAZARDOUS MATERIALS, read the third time by short title and placed on its final passage.
 - **H.J.R. 20** then failed to pass on the following roll call:

Yeas, 22; Nays, 47; Absent or not voting, 6.

34

Voting in the affirmative were: Representatives

Beck	Becker	Beshear	Bourdeaux
Buffmire	Daniels	Dillree	Duckworth
Fife	Hansen	Hendrickson	E. Hutchings
Jones	King	Litvack	Mascaro
McCartney	Morgan	Moss	Parker
Shurtliff	Young		

Voting in the negative were: Representatives

100225	voting in the medical volume of the presentatives			
Aagard	Adair	Alexander	S. Allen	
Anderson	Barrus	Bennion	Bigelow	
Bowman	Bradshaw	Bryson	Bush	
Buttars	D. Clark	S. Clark	D. Cox	
Dayton	Donnelson	Ferrin	Ferry	
Garn	Goodfellow	Gowans	Harper	
Hatch	Hogue	B. Johnson	Lockhart	
Murray	Newbold	Pace	Peterson	
Philpot	Ray	Saunders	Seitz	
Siddoway	G. Snow	Styler	Swallow	
Thompson	Throckmorton	Tyler	Ure	
Urquhart	Wallace	M. Stephens		

Absent or not voting were: Representatives

Arent	Biskupski	Curtis	Holdaway
Wav	Winn		-

H.J.R. 20 was filed.

UNFINISHED BUSINESS

On motion of Representative Siddoway, the House voted to uncircle **Sub. H.B. 36**.

Sub. H.B. 36, CHILD CARE AMENDMENTS, was before the House on its final passage.

Sub. H.B. 36 then passed on the following roll call:

Yeas, 61; Nays, 11; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Beck	Becker
Bennion	Beshear	Bigelow	Biskupski
Bourdeaux	Bowman	Bradshaw	Buffmire
Bush	Buttars	D. Clark	S. Clark
D. Cox	Daniels	Dillree	Duckworth
Ferry	Fife	Garn	Goodfellow
Gowans	Hansen	Harper	Hendrickson
Hogue	Holdaway	E. Hutchings	B. Johnson
Jones	King	Litvack	Mascaro
McCartney	Morgan	Moss	Murray
Newbold	Pace	Parker	Ray
Saunders	Seitz	Shurtliff	Siddoway
G. Snow	Styler	Swallow	Tyler
Ure	Urquhart	Wallace	Young
M. Stephens	-		3

Voting in the negative were: Representatives

Alexander	Bryson	Dayton	Donnelson
Ferrin	Lockhart	Peterson	Philpot
Thompson	Throckmorton	Wav	_

Absent or not voting were: Representatives Curtis Hatch Winn

Sub. H.B. 36 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Adair, the House voted to uncircle H.B. 237.

H.B. 237, SPOUSE ABUSE AMENDMENTS, was before the House on its final passage.

H.B. 237 then passed on the following roll call:

Yeas, 52; Nays, 20; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Beck	Becker
Beshear	Bigelow	Biskupski	Bourdeaux
Bowman	Bradshaw	Buffmire	Bush
Buttars	S. Clark	Daniels	Dillree
Duckworth	Ferry	Fife	Garn
Goodfellow	Gowans	Hansen	Harper
Hatch	Hendrickson	Hogue	E. Hutchings
Jones	King	Litvack	Mascaro
McCartney	Morgan	Moss	Murray
Pace	Parker	Ray	Saunders
Seitz	Shurtliff	Siddoway	G. Snow
Styler	Tyler	Wallace	Young

Voting in the negative were: Representatives

Alexander	Bryson	D. Clark	D. Cox
Curtis	Dayton	Donnelson	Ferrin
B. Johnson	Lockhart	Newbold	Peterson
Philpot	Swallow	Thompson	Throckmorton
Ure	Urquhart	Way	M. Stephens

Absent or not voting were: Representatives Bennion Holdaway Winn

H.B. 237 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 113, INSECT CONTROL ON FEDERAL LANDS, read the third time by short title and placed on its final passage.

On motion of Representative Becker, the bill was amended as follows:

- 1. Page 1, Line 17:
 After "lands" insert "after notification of the appropriate federal land manager"
- H.B. 113, as amended, then passed on the following roll call:

Yeas, 69; Nays, 2; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Alexander	S. Allen
Barrus	Beck
Bigelow	Bourdeaux
Bryson	Buffmire
D. Clark	S. Clark
Daniels	Dayton
Duckworth	Ferrin
Garn	Goodfellow
Hendrickson	Hogue
B. Johnson	Jones
Lockhart	Mascaro
Murray	Newbold
Peterson	Philpot
Seitz	Shurtliff
Styler	Swallow
Tyler	Ure
Way	Young
-	· ·
	Barrus Bigelow Bryson D. Clark Daniels Duckworth Garn Hendrickson B. Johnson Lockhart Murray Peterson Seitz Styler Tyler

Voting in the negative were: Representatives

Biskupski McCartney

Absent or not voting were: Representatives

Bennion Hansen Harper Winn

H.B. 113, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: February 4, 2002

The Rules Committee has ordered the following House and Senate bills and resolutions printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS & LABOR

H.B. 291 Obligations Related to Mortgage Loan Reserve Accounts

(J. Swallow)

2nd Sub. S.B. 48 Public Agency Insurance Mutual

Amendments (J. Hickman)

1st Sub. S.B. 55 Amendments to Utah Uniform Building

Standards Act (P. Hellewell)

S.B. 124 Timely Payments of Insurance Claims (J. Valentine)

EDUCATION

H.B. 144 Exemption from Nonresident Tuition (D. Ure)H.J.R. 23 Resolution Promoting Character and Citizenship

Education (K. Morgan)

S.B. 142 Higher Education Budget Authority (L. Hillyard)

HEALTH AND HUMAN SERVICES

H.B. 287 Constitutional Rights of State Employees (M. Thompson)

S.B. 76 Domestic Violence in Presence of

Child Amendments (D. Steele)

S.B. 135 Tobacco Settlement Restricted Account (D. Steele)

JUDICIARY

H.B. 282 Child Support Reductions (J. Swallow)

H.B. 288 Competency to Stand Trial Amendments (S. Daniels)H.B. 290 Affidavit of Impecuniosity Amendments (J. Swallow)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.C.R. 5 Resolution Recognizing Military, President, and

Congress' Role in War on Terrorism (J. Swallow)

H.J.R. 22 Resolution Opposing Increased Violence in Sports

Against Sports Officials (D. Hogue)

NATURAL RESOURCES, AGRICULTURE & ENVIRONMENT

H.C.R. 7 Resolution Approving Landfill for Construction and

Demolition Debris (T. Hatch)

POLITICAL SUBDIVISIONS

H.B. 241 County Health Departments - Operational

Structure (K. Garn)

S.B. 129 Planetarium Board of Directors Amendments (G. Davis)

QUASI-GOVERNMENTAL ENTITIES

H.B. 297 Retirement Office Amendments (R. Bigelow)

REVENUE AND TAXATION

H.B. 296 2002 Special Highway General

Obligation Bonds (W. Harper)

S.B. 59 Sales and Use Tax - Taxation of Amounts

Paid to a Telephone Service Provider or

Telegraph Corporation (C. Bramble)

TRANSPORTATION

1st Sub. S.B. 120 Motor Vehicle Insurance Coverage - Arbitration Requirements (M. Waddoups)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

H.B. 137 Limited Purpose Local Government Agencies

Amendments (D. Peterson)

H.B. 139 Employment Support Provisions (D. Litvack)

Tom Hatch, Chair

Report filed. On motion of Representative Hatch, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to adjourn until February 5, 2002, at 9:30~a.m.

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1st Sub. H.B. 212 - 2nd Sub. H.B. 212 H.B. 213 CLAS: H.B. 214 EXTER H.B. 215 DEPAR	Read for the first time and referred to the Rules Committee Substituted	155 155 294 294 438 439 52 268 433 52 73 184 185 545 545
1st Sub. H.B. 212 - 2nd Sub. H.B. 212 H.B. 213 CLAS: H.B. 214 EXTER H.B. 215 DEPAR	Read for the first time and referred to the Rules Committee Substituted	155 155 1294 294 438 439 52 268 433 52 73 1184 1185 545 545 545 52 74 1186
1st Sub. H.B. 212 - 2nd Sub. H.B. 212 H.B. 213 CLAS: H.B. 214 EXTER H.B. 215 DEPAR	Read for the first time and referred to the Rules Committee Substituted	155 155 294 294 438 439 52 268 433 52 73 184 185 545 545 52 74 185 186

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H.B. 218 OVER	WEIGHT VEHICLE AMENDMENTS (T. Hatch) Read for the first time and referred to the Rules Committee Read the second time Read the third time Circled Uncircled Transmitted to the Senate	. 7 18
H.B. 219 FIREA	RM FEE AMENDMENTS (J. M. Philpot) Read for the first time and referred to the Rules Committee Assigned to standing committee	. 5
H.B. 220 CONT	ROL OF PRECURSOR CHEMICALS (A. L. Tyler) Read for the first time and referred to the Rules Committee Assigned to standing committee	
	BOARD OF EDUCATION RULES AND REPORTS (M. Dayton) Read for the first time and referred to the Rules Committee Read the second time Read the third time Transmitted to the Senate Signed by the Speaker and transmitted to the Governor OL AND SCHOOL DISTRICT SIZE TASK FORCE (D. Cox) Read for the first time and referred to the Rules Committee	7 18 18 54
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H.B. 223 HUNT	ING LICENSE FEE REFUND (M. Styler) Read for the first time and referred to the Rules Committee Amendments	15 15 45 45
H.B. 224 GIVIN	G FALSE INFORMATION TO POLICE OFFICER (K. Morgan) Read for the first time and referred to the Rules Committee Read the second time Read the third time Amendments Circled Uncircled Amendments Transmitted to the Senate	20 20 20 20 26 26
H.B. 225 MENT	AL HEALTH PROFESSIONAL FINANCIAL ASSISTANCE GRANTS - TECHNICAL AMENDMENTS (J. Buffmire) Read for the first time and referred to the Rules Committee Read the second time Read the third time Transmitted to the Senate	20
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H.B. 228 PUBL	IC EDUCATION VENDING CONTRACTS (P. Jones) Read for the first time and referred to the Rules Committee	
	KERS' COMPENSATION - DEATH BENEFIT (D. Clark) Read for the first time and referred to the Rules Committee	5
H.B. 230 RETIR	EMENT OF PUBLIC SAFETY OFFICIALS (R. Bigelow) Read for the first time and referred to the Rules Committee Assigned to standing committee Read the second time	15

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H.B. 242 PRACTICE OF RADIOLOGY TECHNOLOGY LICENSURE AMENDMENTS (J. M. Philpot) Read for the first time and referred to the Rules Committee
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H.B. 253 RURAL SCHOOLS - EQUITY IN EDUCATION (B. Johnson) 63 Read for the first time and referred to the Rules Committee 154 Assigned to standing committee 154 Read the second time 224
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H.B. 262 STUDI	ENT EDUCATION PLANS (M. Newbold) Read for the first time and referred to the Rules Committee	34
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H.B. 268 ADDIT	TIONAL STATE RETIREMENT BENEFIT (L. Shurtliff) Read for the first time and referred to the Rules Committee	11
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	H.B. 270 MENTAL HEALTH PRACTITIONER IN PARENTAL RIGHTS ACTION (M. Thompson) Read for the first time and referred to the Rules Committee
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	Assigned to standing committee 272 UTAH EDUCATION NETWORK AMENDMENTS (T. Hatch)
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206	B. 273 DESIGNATION OF I-80 (D. Bush) Read for the first time and referred to the Rules Committee
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	H.B. 274 SUPPLEMENTAL MINIMUM SCHOOL PROGRAM ACT AMENDMENTS (M. Dillree) Read for the first time and referred to the Rules Committee Read the second time
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900	H.B. 275 STATE BOARD OF EDUCATION BUDGET AUTHORITY (M. Dillree) Read for the first time and referred to the Rules Committee
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	H.B. 276 ASSESSMENT ON TITLE INSURERS (T. Hatch) Read for the first time and referred to the Rules Committee Assigned to standing committee
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296	3. 278 APPROVAL OF EDUCATION ASSOCIATION LEAVE (S. Allen) Read for the first time and referred to the Rules Committee
	. 279 PROFESSIONAL EMPLOYER ORGANIZATION LICENSING ACT AMENDMENTS (G. Curtis) Read for the first time and referred to the Rules Committee
Curtis)	Substituted
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	.B. 282 CHILD SUPPORT REDUCTIONS (J. Swallow) Read for the first time and referred to the Rules Committee Assigned to standing committee
	ASSIGNED OF SAME ASSIGNED ASSI
	3. 284 ELECTION LAW AMENDMENTS - DISABLED VOTERS (R. Siddoway) Read for the first time and referred to the Rules Committee
	B. 285 HISTORIC BUILDING REHABILITATION TAX CREDITS (C. Bennion) Read for the first time and referred to the Rules Committee
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240	. 286 DIVISION OF CHILD AND FAMILY SERVICES TREATMENT PLANS AND REUNIFICATION SERVICES (R. Lockhart) Read for the first time and referred to the Rules Committee
	27 CONSTITUTIONAL PICHTS OF STATE FMPI OVERS (M. Thompson)
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H.B. 301 FARMLAND ASSESSMENT ACT - ROLLBACK TAXES (D. Ure) Read for the first time and referred to the Rules Committee	552
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554	H.B. 319 JAIL REIMBURSEMENT AMENDMENTS (G. Curtis) Read for the first time and referred to the Rules Committee
554	. 320 ESSENTIAL HOSPITAL SERVICES (<i>R. Lockhart</i>) Read for the first time and referred to the Rules Committee
554	H.B. 321 CAPITOL ARTS PLACEMENT COMMISSION AMENDMENTS (R. Siddoway) Read for the first time and referred to the Rules Committee
	B. 322 GOVERNMENT OPERATIONS (C. Bennion) Read for the first time and referred to the Rules Committee
555	3. 323 STATE FLEET OPERATIONS AMENDMENTS (G. Adair) Read for the first time and referred to the Rules Committee
555	224 PROTECTION OF UNINCORPORATED AREAS IN COUNTIES OF THE FIRST CLASS (A. Tyler) Read for the first time and referred to the Rules Committee
	325 COUNTY CLERK RESPONSIBILITIES - BUILDING LOT OF RECORD (D. Ure) Read for the first time and referred to the Rules Committee
555	B. 326 SPECIAL LICENSE PLATE (D. Bowman) Read for the first time and referred to the Rules Committee
	3. 327 INFORMATION REQUIRED TO THE DIVISION OF PUBLIC UTILITIES (T. McCartney) Read for the first time and referred to the Rules Committee
	3. 328 APPROPRIATION FOR TEACHER MENTORING PROGRAMS (C. Moss) Read for the first time and referred to the Rules Committee
	LB. 329 STATE AND EDUCATION VOLUNTARY CONTRIBUTION FUND (J. Philpot) Read for the first time and referred to the Rules Committee
556	50 USE OF COUNTY GENERAL FUND EXPENSES (E. Hutchings) Read for the first time and referred to the Rules Committee
556	i. 331 NONRESIDENT TUITION FOR HIGHER EDUCATION (J. Alexander) Read for the first time and referred to the Rules Committee
556	B. 332 CHILD SUPPORT MODIFICATIONS (E. Hutchings) Read for the first time and referred to the Rules Committee
556	333 VETERANS - PARKS AND RECREATION BENEFIT (G. Adair) Read for the first time and referred to the Rules Committee
	. 334 COUNTY AND MUNICIPAL CAMPAIGN FINANCE AMENDMENTS (T. Beck) Read for the first time and referred to the Rules Committee
557	H.B. 335 LOBBYIST AND PUBLIC OFFICIALS ETHICS AMENDMENTS (R. Becker) Read for the first time and referred to the Rules Committee
557	B. 336 USE OF FORCE, INCLUDING DEADLY FORCE, IN DEFENSE OF PROPERTY (M. Thompson) Read for the first time and referred to the Rules Committee
557	B. 337 VETERANS SERVICE ORGANIZATION SPECIAL LICENSE PLATES (S. Mascaro) Read for the first time and referred to the Rules Committee
557	338 AUTHORITY OF THE STATE BOARD OF EDUCATION (D. Cox) Read for the first time and referred to the Rules Committee
557	B. 339 DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES (R. Lockhart) Read for the first time and referred to the Rules Committee
	. 340 DIVISION OF WATER RIGHTS FUNDING AND NOTIFICATION AMENDMENTS (M. Styler) Read for the first time and referred to the Rules Committee
557	B. 341 GOVERNMENT LAW REVISIONS (B. King) Read for the first time and referred to the Rules Committee
558	B. 342 RECOVERY OF DAMAGES FOR LOSS OF USE OF A MOTOR VEHICLE (G. Curtis) Read for the first time and referred to the Rules Committee
558	. 343 ADMISSION POLICIES FOR HIGHER EDUCATION (M. Dayton) Read for the first time and referred to the Rules Committee
	44 GOVERNMENTAL FUNCTIONS - AMENDMENTS (P. Arent) Read for the first time and referred to the Rules Committee
	345 STATE FAIR PARK AMENDMENTS (D. Bourdeaux) Read for the first time and referred to the Rules Committee
	46 EDUCATION LAW AMENDMENTS (D. Bourdeaux) Read for the first time and referred to the Rules Committee
	347 GOVERNMENT LAW CHANGES (<i>J. Biskupski</i>) Read for the first time and referred to the Rules Committee
559	read for the first time and referred to the redict Committee

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